

Congress of the United States
Washington, DC 20515

November 17, 2015

The Honorable Harold Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
H-305 The Capitol

The Honorable Thad Cochran
Chairman
Committee on Appropriations
U.S. Senate
S-128 The Capitol

The Honorable Nita M. Lowey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
1016 Longworth House Office Building

The Honorable Barbara A. Mikulski
Vice Chairwoman
Committee on Appropriations
U.S. Senate
S-146A The Capitol

Dear Chairmen Rogers and Cochran, Ranking Member Lowey and Vice Chairwoman Mikulski:

As Congress continues to work towards a comprehensive appropriations bill to fund our federal government for the remainder of fiscal year 2016, we would like to call your attention to a specific matter that is of particular concern for our delegation and state. The Alabama-Coosa-Tallapoosa (ACT) and Apalachicola-Chattahoochee-Flint (ACF) River Basins together provide critical water resources to a significant portion of our state. As such, we are writing to express our united opposition to any appropriation riders designed to supplant ongoing federal and judicial actions regarding these basins.

There are ongoing processes before the Supreme Court and the US Army Corps of Engineers to resolve the issues that affect these basins. We believe Congress should avoid interfering in these efforts through the appropriations process and allow the ongoing judicial and administrative processes to proceed to their conclusion. It is important to note that no state's rights or obligations will be affected or determined until those processes are complete, and no state will be harmed by allowing them to move forward in the usual course.

It is our view that this appropriations process is not the proper place to address the long-standing water policy issues affecting the states of Alabama, Florida and Georgia, which are already seeking resolution through the appropriate channels. The Corps of Engineers plays an important role in determining the use of water resources with federal court involvement when necessary. In the event neither the Corps of Engineers nor the federal courts are successful in resolving a dispute, the Constitution grants the Supreme Court final jurisdiction over disputes between the states. As such, action by the Corps of Engineers, and when necessary the Courts, are the proper channels to resolve these disputes.

We applaud and support the House Energy and Water Development and Commerce, Justice, Science appropriations legislation, which have already moved through the

Appropriations Committee and the full House of Representatives, for being free of any extraneous legislative language that would interfere with the overall process. However, the same cannot be said about the Senate versions of these two bills and their accompanying reports, which contain legislative and report language that would interfere in longstanding policies, practices and procedures for determining water withdrawals from the ACT River Basin specifically.

Our delegation stands united and we ask that you support our position against the inclusion of any language pertaining to the ACT and ACF River Basins in any appropriations legislation.

Thank you for your consideration and attention to these matters.

Sincerely,

Tom Graves

[Signature]

Thomas Price

Lynn A. Westmacott

Justin Scott

Earl L. 'Buddy' Carter

Rob Woodall

Jody Hice

Sanford Bishop

David A. Loefer

Ed Lewis

Steve Seitz

Ben Ray Lujan

Bill W. Alt

Dan Claitor

Hank Johnson